

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Torsten Gottschalk-Gaudig et al.

Group Art Unit: 1762

Examiner: Elena Tsoy

Serial No.: 10/738,543

Filed: December 17, 2003

For: WATER-WETTABLE SILYLATED METAL OXIDES

Attorney Docket No.: WAS 0611 PUS

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a response to the Restriction Requirement of December 29, 2006. Applicant elects with traverse to prosecute Group II, comprising Claim 7 drawn to a partly hydrophobic silica.

The traversal is based on the fact that there is no distinction between pyrogenic silica and hydrophilic silicas which come freshly prepared direct from the burner. Pyrogenic silicas are prepared in a burner and are always hydrophilic. Thus, these "two types" of silicas which the Office alleges to be different, are in fact the same. Thus, there is no basis for any restriction.

Prompt and favorable consideration of this application is requested. If the Examiner notes any minor errors, he is invited to telephone the undersigned so that the matter can be promptly handled by Examiner's amendment.

Respectfully submitted,

Torsten Gottschalk-Gaudig et al.

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